

EXECUTIVE ORDER 12759

FEDERAL ENERGY MANAGEMENT

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Energy Policy and Conservation Act, as amended (Public Law 94-163, 89 Stat. 871, 42 U.S.C. 6201 et seq.), the Motor Vehicle Information and Cost Savings Act, as amended (15 U.S.C. 1901 et seq.), section 205(a) of the Federal Property and Administrative Services Act, as amended (40 U.S.C. 486 (a)), and section 301 of title 3 of the United States Code, it is hereby ordered as follows:

Section 1 Federal Energy Efficiency Goals for Buildings.

Each agency shall develop and implement a plan to meet the 1995 energy management goals of the National Energy Conservation Policy Act, as amended, 42 U.S.C. 8251 et seq., and by the year 2000 reduce overall energy use of Btu's per gross square foot of the Federal buildings it operates, taking into account utilization, by 20 percent from 1985 energy use levels, to the extent that these measures minimize life cycle costs and are cost-effective in accordance with 10 CFR Part 436.

Section 2 Federal Energy Efficiency Goals for Other Facilities.

Each agency will prescribe policies under which its industrial facilities in the aggregate increase energy efficiency by at least 20 percent in fiscal year 2000 in comparison to fiscal year 1985, to the extent that these measures minimize life cycle costs and are cost-effective in accordance with 10 CFR Part 436. Each agency shall establish appropriate indicators of energy efficiency to comply with this section.

Section 3 Minimization of Petroleum Use in Federal Facilities.

Each agency using petroleum products for facilities operations or building purposes shall seek to minimize such use through switching to an alternative energy source if it is estimated to minimize life cycle costs and which will not violate Federal, State, or local clean air standards. In addition, each agency shall survey its buildings and facilities to determine where the potential for a dual fuel capability exists and shall provide dual fuel capability where practicable.

Section 4 Implementation Strategies.

(a) Except as provided by paragraph (b) and (c) of this section, each agency shall adopt an implementation strategy, consistent with the provisions of this order, to achieve the goals established in sections 1, 2, and 3. That strategy should include, but not be limited to, changes in procurement practices, acquisition of real property, participation in demand side management services and shared savings agreements offered by private firms, and investment in energy efficiency measures. The mix and balance among such measures shall be established in a manner most suitable to the available resources and particular circumstances in each agency.

(b) The Secretary of Defense may, if he determines it to be in the national interest, issue regulations exempting from compliance with the requirements of this order, any weapons, equipment, aircraft, vehicles, or other classes or categories of real or personal property which are owned or operated by the Armed Forces of the United States (including the Coast Guard) or by the National Guard of any State and which are uniquely military in nature.

(c) The Secretary of the Treasury and the Attorney General, consistent with their protective and law enforcement responsibilities, shall determine the extent to which the requirements of this order shall apply to the protective and law enforcement activities of their respective agencies.

Section 5 Procurement of Energy Efficient Goods and Products.

In order to assure the purchase of energy efficient goods and products, each agency shall select for procurement those energy consuming goods or products which are the most life cycle cost-effective, pursuant to the requirements of the Federal Acquisition Regulation. To the extent practicable, each agency shall require vendors of goods to provide appropriate data that can be used to assess the life cycle costs of each good or product, including building energy system components, lighting systems, office equipment, and other energy using equipment.

Section 6. Participation in Demand Side Management Services.

Each agency shall review its procedures used to acquire utility and other related services, and to the extent practicable and consistent with its strategy established pursuant to section 4, remove any impediments receiving, utilizing, and taking demand side management services, incentives, and rebates offered by utilities and other private sector energy service providers.

Section 7 Energy Efficiency Requirement for Current Federal Building Space.

Each agency occupying space in Federal buildings shall implement the applicable rules and regulations regarding Federal property and energy management.

Section 8 Energy Efficiency Requirements for Newly Constructed Federal Buildings.

Each agency responsible for the construction of a new Federal building shall ensure that the building is designed and constructed to comply with the energy performance standards applicable to Federal residential and commercial buildings as set forth in 10 CFR Part 435. Each agency shall establish certification procedures to implement this requirement.

Section 9 Vehicle Fuel Efficiency Outreach Programs.

Each agency shall implement outreach programs including, but not limited to, ride sharing and employee awareness programs to reduce the petroleum fuel usage by Federal employees and by contractor employees at Government-owned, contractor- operated facilities.

Section 10 Federal Vehicle Fuel Efficiency.

Consistent with its mission requirements, each agency operating 300 or more commercially designed motor vehicles domestically shall develop a plan to reduce motor vehicle gasoline and diesel consumptions by at least 10 percent by 1995 in comparison with fiscal year 1991. The Administrator of General Services, in consultation with the Secretary of Energy, shall issue appropriate guidance to assist agencies in meeting this goal. This guidance shall include guidance concerning vehicles to be covered, the use of alternative/blended fuels, initiatives to improve fuel efficiency of the existing fleet, the use of modified energy life cycle costing consistent with life cycle costing methods in 10 CFR 436, and limitations on vehicle type and engine size to be acquired. Each agency electing to use alternative fuel motor vehicles shall receive credit for such use.

Section 11 Procurement of Alternative Fueled Vehicles.

The Secretary of Energy, with the cooperation of other appropriate agencies, and consistent with other Federal law, shall ensure that the maximum number practicable of vehicles acquired annually are alternative fuel vehicles as required by the Alternative Motor Fuels Act of 1988 (42 U.S.C 6374.) Subject to availability of appropriations for this purpose, the maximum number practicable of alternative fuel vehicles produced by original equipment vehicle manufacturers shall be acquired by the end of model year 1995.

Section 12 Federal Funding.

Within approved agency budget totals, each agency head shall work to achieve the goals set forth in this order. To the extent that available resources fall short of requirements, agency heads shall rank energy efficiency investment in descending order of savings-to-investment ratios, or their adjusted internal rate of return to establish priority.

Section 13 Annual Reports.

The head of each agency shall report annually to the Secretary of Energy, in a format specified by the Secretary after consultation with the heads of affected agencies, on progress in achieving the goals of this Executive order with respect to Federal buildings, facilities and vehicles subject to this order. The Secretary of Energy will prepare a consolidated report to the President annually on the implementation of this order.

Section 14 Definitions. For the purpose of this order--

(a) the term "energy use" means the energy that is used at a building or facility and measured in terms of energy delivered to the building or facility;

(b) the term "Federal building" means any building in the United States which is controlled by the Federal Government for its use.

[signature]

THE WHITE HOUSE,

April 17, 1991.

[FR Doc. 91-9473

Filed 4-18-91; 10:33 am]

Billing code 3195-01-M